

MEMORANDUM

To: Dublin City Council
Marsha Grigsby, City Manager
Anne Clarke, Clerk of Council

From: Stephen J. Smith
Philip K. Hartmann

Date: February 20, 2014

Re: Resolution No. 15-14
Glick Road Shared-Use Path – Section 3
Jack K. Beatley

PROJECT BACKGROUND:

The City of Dublin ("City") is preparing to construct the Glick Road Shared-Use Path – Section 3 project (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this Project.

One of the landowners that the City must obtain property from for the construction of the Project is Jack K. Beatley (the "Grantor"). After engaging in a lengthy period of negotiations with the Grantor, it appears that the City may be forced to appropriate the needed property from the Grantor.

The City is still hopeful that an amicable resolution can be reached with the Grantor, however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

PROPERTY TO BE APPROPRIATED:

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Delaware County Parcel No. 600-341-28-028-00	
Parcel WD (Fee Simple) (Present Road Occupied)	0.155 ± acres
Permanent Easement	0.045 ± acres
Temporary Easement	0.037± acres

RECOMMENDATION:

The Law Department recommends approval of Resolution No. 15-14 as the construction of the Project is necessary for public welfare and safety, and approval of the Resolution will keep the Project moving forward.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

15-14

Resolution No. _____

Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.155 ACRES, MORE OR LESS, PRESENT ROAD OCCUPIED FEE SIMPLE INTEREST; A 0.045 ACRES, MORE OR LESS, PERMANENT SLOPE, GRADING AND DRAINAGE EASEMENT; AND A 0.037 ACRES, MORE OR LESS, TEMPORARY EASEMENT FROM JACK K. BEATLEY, TRUSTEE, AT THE PROPERTY LOCATED AT 6713 GLICK ROAD FOR THE CONSTRUCTION OF A MULTI-USE PATH.

WHEREAS, the City of Dublin is preparing to construct a multiuse path on Glick Road as part of Glick Road Shared-Use Path Section 3 (the "Project"); and

WHEREAS, this Project will require the City of Dublin to obtain a fee simple, permanent easement and temporary easement interests from Jack K. Beatley as described and depicted in the legal description and survey attached hereto as Exhibit "A," said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council considers it necessary and declares its intention to appropriate, for the purpose of installing a multi-use path, a fee simple interest encumbered with a Right of Way easement (i.e. Present Road Occupied), a permanent easement, and a temporary easement as described and depicted in the attached Exhibit "A."

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner and persons in possession or having an interest of record in the property described in Exhibit "A," and this notice shall be served according to law.

Section 3. This resolution shall take effect and be in force upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Parcel #60034128028000
Present Roadway Occupied
0.155 Acres

Situated in the State of Ohio, County of Delaware, City of Dublin, being a part of Original Lot #7, in Survey 2545, Virginia Military Lands and being a part of a 1.99 acre tract conveyed to Jack K. Beatley, Trustee by Volume 439, Page 1449, all records herein are from the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

Beginning for Reference at an iron pin with a cap that reads "SLSS RS 6612" on the south Right of Way of Glick Road (50' R/W) and the northeast corner of Reserve "CCC" as delineated on Muirfield Village Phase 12 in Plat Book 12, Page 42, point also lying on the west line of said 1.99 acre tract;

Thence, North 17°04'42" West, a distance of 20.00 feet, along the west line of said 1.99 acre tract, to an iron pin set, point also being the **True Point of Beginning**;

Thence, North 17°04'42" West, a distance of 30.00 feet, continuing along the west line of said 1.99 acre tract, to the centerline of said Glick Road;

Thence, North 72°55'18" East, a distance of 224.55 feet, along the centerline of Glick Road (30' R/W), to the northeast corner of said 1.99 acre tract;

Thence, South 17°04'42" East, a distance of 30.00 feet, along the east line of said 1.99 acre tract, to an iron pin set;

Thence, South 72°55'18" West, a distance of 224.55 feet, crossing said 1.99 acre tract, to the **Point of Beginning**, containing 0.155 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

Iron pins set are 5/8" diameter by 30" long iron pins with a cap that reads "CW Design Group".

The described 0.237 acre tract is a part of Auditor's Tax Parcel Number 60034128028000 and is based on Volume 439, Page 1449, Plat Book 12, Page 23 and Plat Book 12, Page 42.

I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in April 2013 and to the best of my knowledge depicts the boundary lines.

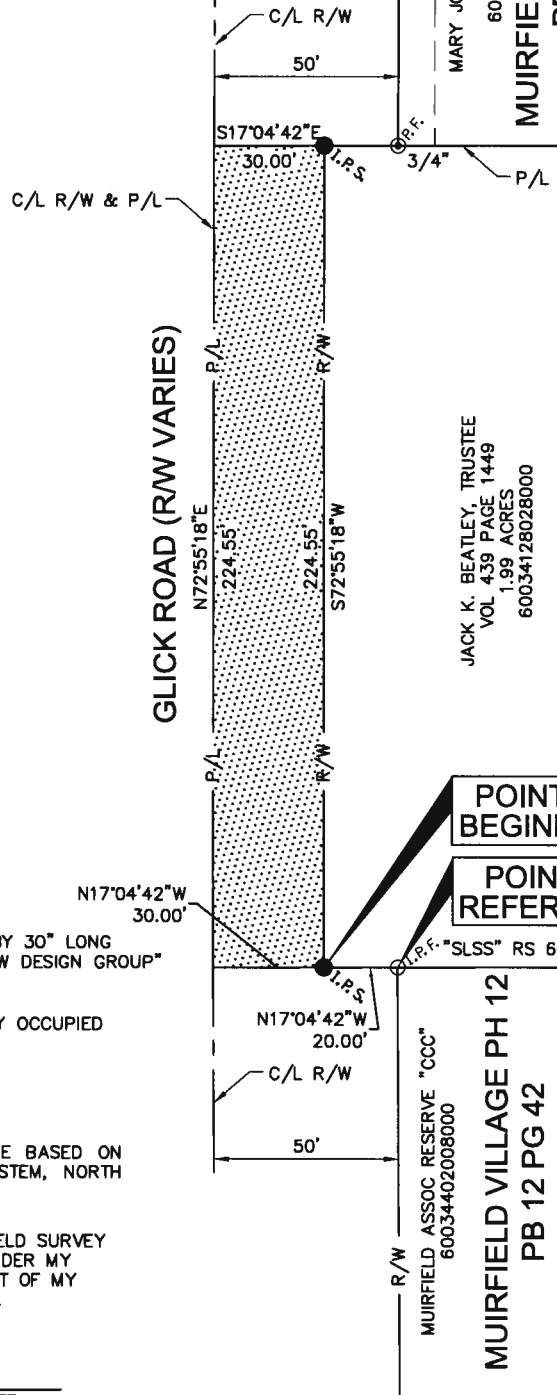
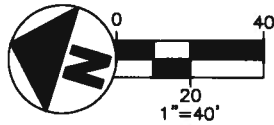
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

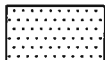
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Date





SYMBOL LEGEND

- I.P.F. IRON PIN FOUND
- ⊗ I.P.F. IRON PIPE FOUND
- I.P.S. IRON PIPE SET - 5/8" DIAMETER BY 30" LONG REBAR WITH A CAP THAT READS "CW DESIGN GROUP"



0.155 ACRE PRESENT ROADWAY OCCUPIED

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (COORDS).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN APRIL 2013 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

CHARLES A. WAGNER, PS-8091
CW DESIGN GROUP, LLC

DATE

CW Design Group
ENGINEERS | SURVEYORS

PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

PARCEL #60034128028000
PRESENT ROADWAY
OCCUPIED

12-0001



05/22/2013

[cw design group] D:\CWDS\Project\2012\120001\Drawing\BeattleyPRO.dwg May 22, 2013 12:14pm

Parcel #60034128028000
Permanent Slope, Grading and Drainage Easement
0.045 acres

Situated in the State of Ohio, County of Delaware, City of Dublin, being a part of Original Lot #7, in Survey 2545, Virginia Military Lands and being a part of a 1.99 acre tract conveyed to Jack K. Beatley, Trustee by Volume 439, Page 1449, all records herein are from the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

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Thence, North 17°04'42" West, a distance of 20.00 feet, along the west line of said 1.99 acre tract, to the south Right of Way of said Glick Road;

Thence, North 72°55'18" East, a distance of 93.79 feet, along the south Right of Way of Glick Road (30' R/W), to the **True Point of Beginning**;

Thence, North 72°55'18" East, a distance of 130.76 feet, continuing along the south Right of Way of said Glick Road, to the east line of said 1.99 acre tract;

Thence, South 17°04'42" East, a distance of 15.00 feet, along the east line of said 1.99 acre tract, to a point;

Thence, crossing said 1.99 acre tract, the following two courses:

1. South 72°55'18" West, a distance of 130.76 feet, to a point;
2. North 17°11'07" West, a distance of 15.00 feet, to the **Point of Beginning**, containing 0.045 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described 0.237 acre tract is a part of Auditor's Tax Parcel Number 60034128028000 and is based on Volume 439, Page 1449, Plat Book 12, Page 23 and Plat Book 12, Page 42.

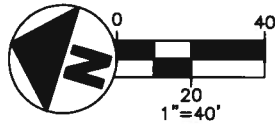
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CW Design Group, LLC


Charles A. Wagner - Professional Surveyor 8091

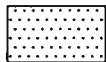
05.22.2013
Date





SYMBOL LEGEND

- I.P.F. IRON PIN FOUND
- ⊙ P.F. IRON PIPE FOUND



TEMPORARY EASEMENT AREA



0.045 ACRE PERMANENT SLOPE, GRADING
AND DRAINAGE EASEMENT AREA

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON
THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH
ZONE, NAD83 (COORDS).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY
CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY
GUIDANCE IN APRIL 2013 AND TO THE BEST OF MY
KNOWLEDGE DEPICTS THE BOUNDARY LINES.

CHARLES A. WAGNER, PS-8091
CW DESIGN GROUP, LLC

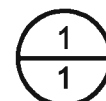
DATE

CW Design Group
ENGINEERS | SURVEYORS

PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

PARCEL #60034128028000
PERMANENT SLOPE, GRADING
& DRAINAGE EASEMENT

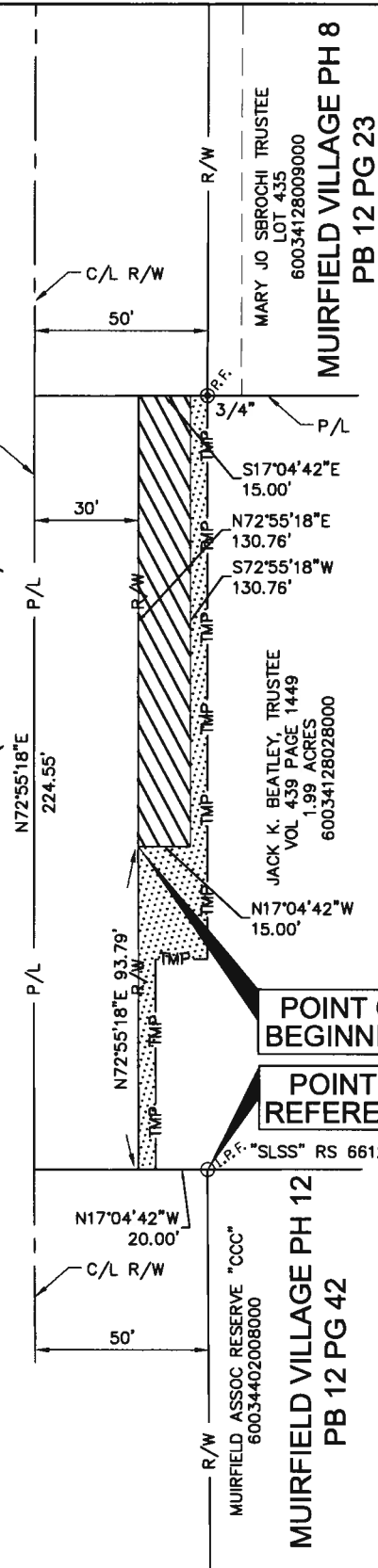
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CLICK ROAD (RW VARIES)



Parcel #60034128028000
Temporary Easement
0.037 Acres

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Thence, North 17°04'42" West, a distance of 15.00 feet, along the west line of said 1.99 acre tract, to the **True Point of Beginning**;

Thence, North 17°04'42" West, a distance of 5.00 feet, continuing along the west line of said 1.99 acre tract, to the south Right of Way of said Glick Road;

Thence, North 72°55'18" East, a distance of 93.79 feet, along the south Right of Way of Glick Road (30' R/W), to a point;

Thence, South 17°04'42" East, a distance of 15.00 feet, crossing said 1.99 acre tract to a point;

Thence, North 72°55'18" East, a distance of 130.76 feet, crossing said 1.99 acre tract to a 3/4" iron pipe located at the intersection of the south Right of Way of Glick Road (50' R/W) and west line of Lot 438 as delineated on Muirfield Village, Phase 8 in Plat Book 12, Page 23;

Thence, South 17°04'42" East, a distance of 5.00 feet, along the west line of said Lot 438 to a point;

Thence, crossing said 1.99 acre tract, the following three courses:

1. South 72°55'18" West, a distance of 163.50 feet, to a point;
2. North 17°11'07" West, a distance of 15.00 feet, to a point;
3. South 72°55'18" West, a distance of 61.02 feet, to the **Point of Beginning**, containing 0.037 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

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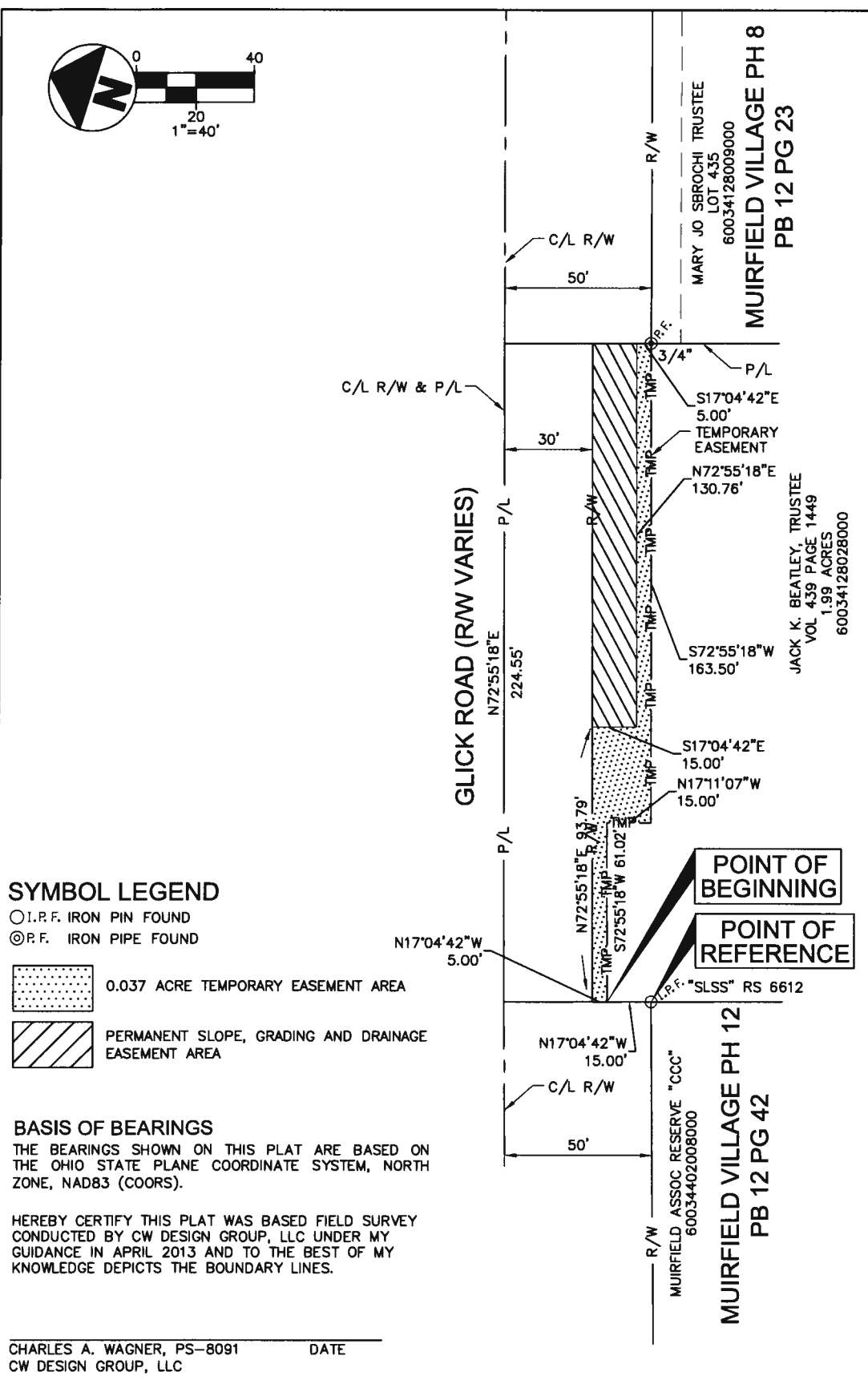
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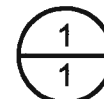
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PARCEL #60034128028000
TEMPORARY
EASEMENT

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